



Minnesota Board of Peace Officer Standards and Training

Rules Committee Meeting Minutes September 8, 2021

This meeting was held online due to the pandemic.

Members Present

Justin Terrell, Luke Henry, Kelly McCarthy, Tanya Gladney and Jason Bennett.

Members Absent

Pilar Stier

Staff Present

Rebecca Gaspard, Erik Misselt

1. Chair Terrell called the meeting to order at 9:00am.
2. The committee reviewed AV15/AV15a draft rules on 6700.0700 Minimum Selection Standards Items A through E.
 - a) Item E, Clause 3a - assault in the 5th degree 609.224 was amended to include only gross misdemeanor level offenses.
 - b) Item E, Clause 3v - any narcotics or controlled substance law, excluding any non-felony marijuana possession offenses was amended to strike "possession" so that both possession and sale non-felony marijuana offenses were excluded as absolute bars to licensure.
 - c) The committee discussed 609.33 Disorderly House and determined that it would not be added to the list of convictions that would bar licensure.

The committee unanimously agreed to approve Items A through V.

3. The committee reviewed 6700.0700 Minimum Selection Standards Items F through O.
 - a) Item O was discussed and it was determined that it was unnecessary to require legal documentation of name changes, that requiring an applicant to list aliases and other names was sufficient, and that this amended requirement would fit better in the rule part addressing background investigations.

The committee unanimously approved Items F through N, and moving the modified Item O to part 6700.X070 Background Investigations.

4. Following discussion, the committee directed staff to:
 - a) Draft a new rules section to reflect the procedures for variances from rules under MN Statutes chapter 14 ; and
 - b) Identify a means through procedures or rules to require PPOE programs to provide information on rule variances and expungement of convictions that would bar licensure under the rules.

5. 6700.X070 Background Investigations was reviewed and discussed. Gladney questioned whether the background investigation process should provide opportunities for input on applicants from PPOE coordinators. After discussion, the committee directed staff to explore options for this. The committee unanimously accepted Item A as drafted. Item B was approved with two changes:

- the addition of requiring applicants to provide a list of current and past aliases and names used with requiring any documentation of name changes; and
- regarding the required information release, adding the board as a party to whom information could be released.

The committee unanimously approved Items C through G, with Item G reading as follows:

F. The chief law enforcement officer must notify the board as follows:

- 1) when a background investigation is initiated, giving the candidate's full name, date of birth; and the candidate's peace officer license number, if applicable; and
- 2) if applicable, when a background investigation reveals
 - a) a disqualifying offense under the minimum selection standards in part 6700.0700, and must identify the specific offense(s).
 - b) for a currently licensed peace officer, a violation of standards of conduct under part xxxx;

6. The meeting was adjourned at 11:40 a.m.